



HON. SYLVIA O. HINDS-RADIX  
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THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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September 26, 2023

**VIA ECF**

Hon. Arun Subramanian  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
New York, New York 10007

*Re: I.Z. et al. v. N.Y.C. Dep't of Educ., 23-cv-2753 (AS)(BCM)*

Dear Judge Subramanian:

I am a Special Assistant Corporation Counsel in the Office of the Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant the New York City Department of Education (“DOE”) in the above-referenced action, wherein Plaintiff sought implementation of an underlying administrative order, and now seeks solely attorneys’ fees, costs and expenses for legal work for implementation of an administrative order, as well as for this action, under the Individuals with Disabilities Education Act, 20 U.S.C. §1400, *et. seq.* (“IDEA”).

I write to respectfully request a stay of this action pending resolution of Plaintiffs’ claim for attorney’s fees for legal work related to the related underlying administrative proceeding (Case No. 228965, from which this implementation action originated), which is currently being reviewed by Defendant. Plaintiffs consent to this request. Plaintiffs are represented by the Law Office of Michelle L. Siegel, PLLC in the underlying administrative action —different counsel than for this action—and will be engaging in settlement discussions with Defendant relating to fees incurred at the administrative level.

A stay of this matter will prevent Plaintiffs from engaging in multiple settlement discussions for attorney’s fees arising out of the same underlying administrative proceeding and order with Defendant through different Plaintiffs’ counsel and prevent the filing of successive federal Complaints for the same underlying administrative hearing. Defendant will be prepared to make an offer of settlement for attorney’s fees for this matter in the event an agreement in principle has been reached for attorney’s fees for the underlying administrative proceeding.

Accordingly, Defendant respectfully requests that this action be stayed pending resolution of the claim for attorney's fees for the underlying administrative action, with a joint status letter due, informing the Court of progress made toward any such resolution, by November 27, 2023.

Thank you for considering this request.

Respectfully submitted,

/s/

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Lauren Howland  
Special Assistant Corporation Counsel

cc: William DeVinney, Esq. (via ECF)

**Defendant's request for a stay is DENIED. The only currently pending deadline is Defendant's deadline to answer, move to dismiss, or otherwise respond to the complaint. Defendant has already obtained three extensions of this deadline and the Court indicated in its September 6, 2023 order (ECF No. 21) that no further extensions would be granted.**

**The Clerk of Court is directed to terminate the motion at ECF No. 22.**

**SO ORDERED.**



**Arun Subramanian, U.S.D.J.  
Date: September 27, 2023**